

## **REMARKS**

### **I. Introduction**

Claims 28 to 42 are currently pending. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Allowable Subject Matter**

Applicants thank the Examiner for indicating that claim 30 (which was rewritten in independent form in the Amendment filed June 17, 2008) includes allowable subject matter.

### **III. Rejection of Claims 28, 29, and 31 to 42 Under 35 U.S.C. § 103(a)**

Claims 28, 29, and 31 to 42 are allowable for the reasons set forth in Applicants' Amendment filed June 17, 2008.

Additionally, all of the claims are rejected under 35 U.S.C. § 103(a) in view of U.S. Patent No. 6,298,431 ("Gottlieb"). **Gottlieb does not constitute prior art** for the following reason. Gottlieb published on October 2, 2001, after the filing date, December 30, 1998, of U.S. Patent Application Serial No. 09/223,219, from which the present application claims priority, so that, at most, it can qualify only as **35 U.S.C. § 102(e) prior art**. However, **at the time the present invention was made, both Gottlieb and the present application were assigned, or subject to an obligation of assignment, to Intel Corporation**.

As stated in 35 U.S.C. § 103(c), "[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, . . . subject to an obligation of assignment to the same person."

Therefore, Gottlieb does not constitute prior art against the present application.

For the foregoing reason and for the reasons set forth in Applicants' Amendment filed June 17, 2008, all of claims 28, 29, and 31 to 42 are allowable.

Withdrawal of the rejections of claims 28, 29, and 31 to 42 under 35 U.S.C. § 103(a) is therefore respectfully requested.

**IV. Conclusion**

In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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